

STATE OF NORTH CAROLINA  
Montgomery County

File No. 17-CVS-116

In the General Court of Justice  
Superior Court Division

Plaintiff: Devoris D. Little et al.

VS.

Defendant: Mark Higdon et al.

MEMORANDUM  
OF  
MEDIATED SETTLEMENT

The parties hereto stipulate and agree that at the Mediated Settlement Conference, held on this day, in Winston-Salem, NC, that a full and final agreement of all issues was reached, and the parties and their attorneys consent to the Court's entering and enforcing an Order based upon the terms of this agreement as follows:

- ☒ 1. Defendant shall pay Plaintiff the total sum of \$ Three Thousand Dollars & 00/100 3,000.00 within 60 days from the date of this Agreement. Plaintiff shall execute such releases as required by Defendant, in a form acceptable to Defendant, and shall file a Voluntary Dismissal with Prejudice upon receipt of said settlement proceeds.
- ☐ Plaintiff agrees to pay any and all medical and health care expenses and liens, as required pursuant to GS 44-49 & 45-50, arising out of this accident and lawsuit and further agrees to hold the defendants and their insurance carrier harmless from all claims and liens for medical expenses incurred as a result of this lawsuit.
- ☐ 2. Plaintiff shall pay Defendant the total sum of \$ \_\_\_\_\_ within \_\_\_\_\_ days from the date of this Agreement. Defendant shall execute such releases as required by Plaintiff, in a form acceptable to Plaintiff, and shall file a Voluntary Dismissal with Prejudice upon receipt of said settlement proceeds.
- ☐ Defendant agrees to pay any and all medical and health care expenses and liens, as required pursuant to GS 44-49 & 44-50, arising out of this accident and lawsuit and further agrees to hold the plaintiffs and their insurance carrier harmless from all claims and liens for medical expenses incurred as a result of this lawsuit.
- ☐ 3. This matter has been settled by consent. A Consent Judgment/Order shall be prepared by the attorney for the ☐ Plaintiff, ☐ Defendant. The terms of the Consent Judgment/Order are as follows on attached Exhibit A:
- ☒ 4. The parties agree that the terms of this settlement shall be confidential and that a standard confidentiality agreement will be incorporated in or with the final documents. to the extent allowed by law.

5. Each of the parties hereto shall bear his/her/their own attorney fees, costs and

- ☐ each party shall pay its pro rata share of the costs of this Mediated Settlement Conference.
- ☐ Plaintiff/s shall pay the costs of this Mediated Settlement Conference.
- ☒ Defendant/s shall pay the cost of this Mediated Settlement Conference. THE MEDIATOR FEE SHALL BE DIVIDED EQUALLY BETWEEN THE STATE OF NORTH CAROLINA AND THE MONTGOMERY COUNTY SHERIFFS AND THE RICHMOND COUNTY SHERIFFS

☒ 6. Additional terms: see attached Exhibit A

For Plaintiff:

[Signature]  
Attorney for Plaintiff  
[Signature]  
[Signature]

For Defendant:

[Signature] For Eric Frey  
[Signature] Att. for Watkins Higdon

Date September 1, 2017

Proof of destruction of the 1942 M-1 carbine shall be provided by  
Defendants to Plaintiff in the form of photograph(s)